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February 25, 2008
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Re:	Application of:	McVey et al.
	Serial No.:	10/635,673
	Filed:	August 6, 2003
	For:	Print Job Re-Routing Scheme
	Group Art Unit:	2625
	Confirmation No.:	1787
	Examiner:	Saeid Ebrahimi Dehkord
	MMB Docket No.:	1776-0030

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. The review is requested for the reasons stated on the attached sheets. This paper is filed by the Attorney of Record.

REMARKS

I. Reasons for Review

The Examiner has failed to make out a prima facie case of obviousness with respect to claims 1-15 and 20. In general, the *clear error in the Examiner's rejection* is that none of the cited references disclose or suggest either the limitation of a display at a network printer that provides a user with information regarding an ability of the printer to print a selected print job or the limitation of an input mechanism that enables the user to send the print job to another network printer. One or both of these limitations are present in all of the claims 1-15 and 20.

A. Discussion of the Missing Limitations and the Examiner's Cited References

All of the claims relate to a method or system that enable a user to display information at a network printer regarding an ability of a printer to print a print job and then select another printer to which the print job is routed for performance. In the response to the final Office Action, the Applicants disagreed with the Examiner on two teachings that the Examiner stated were found in U.S. Publication Number 2001/0038462 to Teeuwen et al. (hereinafter "Teeuwen") and in U.S. Patent Number 6,552,813 to Yacoub (hereinafter "Yacoub"). Specifically, the Examiner contends that Teeuwen discloses the control panel display at a printer device set forth in claim 1. Applicants respond by noting that the control panel display of claim 1 requires that the display be "adapted to display information about currently pending print jobs that have been sent to the network printer ... including an indication of an ability of the network printer ... to execute pending print jobs displayed on the control panel display." Neither Teeuwen nor Yacoub teaches or suggests that the display at a printer be adapted to display information regarding the ability of the printer to execute a pending print job. Thus, Teeuwen does not adequately support the section 103 ground of rejection of claim

1. Claims 2-4 depend from claim 1 and are patentable for at least this same reason. Claim 5 also includes a similar limitation. Thus, claim 5 and the claims that depend from it, namely, claims 6-10 are also patentable for similar reasons.

Additionally, Applicants have also asserted neither reference relied upon by the Examiner for the section 103 ground of rejection teaches or suggests an “input mechanism being adapted to allow a network user to select one of the other network printers coupled to the network for execution of a pending print job in response to an indication displayed on the control panel display that a print job cannot be executed with a particular network ability” as set forth in claim 1. The Examiner admits that such an input mechanism is not taught or suggested by Teeuwen. *Office Action mailed November 23, 2007, page 3, lines 1-6*. Instead, the Examiner relies on Yacoub for disclosure of this limitation. As pointed out in the response to the final Office Action, Yacoub refers to use of a GUI at a client station, which is not an input mechanism associated with and located at a network printer as required by claim 1. Therefore, the Yacoub reference does not teach or suggest the limitation of the input mechanism associated with and located at a network printer as set forth in claims 1 and 5 or the limitation that data be received through a control panel at a network printer that identifies a displayed print job for re-routing to another network printer as required by claim 11. Therefore, the Yacoub reference does not support the Examiner’s asserted section 103 ground of rejection with regard to all of the pending independent claims 1, 5, and 11 or the remaining claims, which depend from one of these claims. Indeed, the Examiner offered no refutation of this point in the advisory action mailed February 15, 2008.

B. Explanation of Clear Error

Because neither of the cited references teaches or suggests the missing limitations, the Applicants respectfully submit that the Examiner has not established that Teeuwen in view of Yacoub teaches or suggests the invention of claims 1-15 and 20. The absence of the limitations noted above is not surprising as Teeuwen includes a fetch module to retrieve a print file *to* a printer for execution of the print file at the printer. *Teeuwen*, paragraphs [0014] and [0015]. Thus, Teeuwen teaches away from the claimed invention that enables a user to send or re-route a print job *away* from a printer associated with the input device the user is manipulating. Yacoub is a patent directed to a system having a virtual printer that evaluates the capabilities of printers and sends a print job to a printer selected by the virtual printer. This type of system is a centralized system and not a de-centralized system as set forth in the pending claims. Therefore, the cited references do not adequately support the section 103 rejection and the final office action should be withdrawn.

II. Conclusion

For all of the foregoing reasons, Applicants respectfully submit that the application is in a condition for allowance. Favorable reconsideration and allowance of this application are, therefore, earnestly solicited.

Respectfully Submitted,

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